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Elections to fill vacancies in subsidiary organs and other elections: election of members of the Human Rights Council

Note verbale dated 29 August 2018 from the Permanent Mission of India to the United Nations addressed to the President of the General Assembly

The Permanent Mission of India to the United Nations presents its compliments to the Office of the President of the General Assembly and has the honour to refer to the candidature of India to the Human Rights Council for the term 2019–2021, at the elections to be held during the seventy-third session of the General Assembly.

In accordance with General Assembly resolution 60/251, the Permanent Mission of India has the further honour to transmit herewith the voluntary pledges and commitments made by India, reaffirming its commitment to the promotion and protection of human rights (see annex).

The Permanent Mission of India requests that the present note and its annex be circulated as a document of the General Assembly, under agenda item 116 (d).

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Annex to the note verbale dated 29 August 2018 from the Permanent Mission of India to the United Nations addressed to the President of the General Assembly

Candidature of India to the Human Rights Council, 2019–2021

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

1. The ancient Indian wisdom of *Vasudhaiva Kutumbakam* sees the world as one family with an ethos of openness and respect for diversity, coexistence and cooperation. With one sixth of the global population, India is home to a multi-ethnic, multireligious, multilingual population that has lived together for millennia.

2. India has a long tradition of promoting and protecting human rights. This is reflected in the vision of the nation's founding fathers who framed the Constitution of India. The Constitution enshrines India's commitment to human rights by guaranteeing to its citizens fundamental political and civil rights and provides for the progressive realization and enforcement of economic, social and cultural rights.

3. These constitutional provisions underpin the national identity of 1.25 billion people. The most basic of several fundamental rights for both citizens and non-citizens is the right to life and liberty, as set out in article 21 of the Constitution.

4. As the world's largest democracy, India's secular polity is complemented by an independent judiciary, a range of national and state-level commissions that monitor compliance with human rights, a free press and a vibrant and vocal civil society. A series of affirmative measures are in place to help the more vulnerable and marginalized and to address issues of social exclusion, deprivation and disadvantage that may be faced by such groups.

5. The National Human Rights Commission of India — an independent and dynamic body that is accredited as an "A" status institution by the Global Alliance of National Human Rights Institutions — monitors human rights developments in India and shares its experience and expertise with its counterparts in other countries.

6. India's engagement with the Human Rights Council has been guided by the significance of the United Nations body in framing the international discourse on the human rights agenda. For India, the promotion and protection of human rights is essential to achieving the ultimate goal of socioeconomic advancement of all people on this planet.

7. Its interest in serving on the Council is rooted in its belief that the promotion and protection of human rights is best pursued through dialogue, cooperation and constructive and collaborative engagement, which would help in shaping a better collective future for all. India's presence on the Council would continue to bring a pluralistic, moderate and balanced perspective to bridge the various divides or differences therein.

8. India has consistently demonstrated in practice its commitment to human rights and fundamental freedoms. In May 2017, for the third time in less than 10 years, India's human rights record was reviewed under the universal periodic review mechanism of the Human Rights Council. India also submitted its voluntary national review on the implementation of the 17 Sustainable Development Goals under the 2030 Agenda for Sustainable Development at the high-level political forum on sustainable development of the Economic and Social Council, held in July 2017. Both of these voluntary and State-driven processes elicited wide interest.

9. India maintains that sustainable lifestyles and sustainable patterns of consumption and production are important for achieving inclusive sustainable development. Major initiatives of the Government of India, such as Beti Bachao, Beti Padhao (a programme to celebrate girls and enable their education), Swachh Bharat (Clean India), Jan Dhan Yojana (Bank Accounts for All), Smart Cities, Make in India, Digital India, Skill India or Startup India, mirror the targets of the 17 Goals for achieving the 2030 Agenda.

10. India attaches the utmost priority to poverty eradication and achieving inclusive sustainable development. The Government's motto, *sabka saath, sabka vikas*, that is, "all together and development for all", reflects India's commitment to achieving inclusive development in the spirit of "leaving no one behind". In all its policies, India seeks to ensure inclusive development and the protection of the rights of vulnerable groups.

11. A similar commitment ensured the success of the actions on climate of the parties to the landmark Paris Agreement under the United Nations Framework Convention on Climate Change. India has been an active participant in the deliberations of the Convention and all international forums with respect to efforts to combat climate change. India has articulated its belief in an ethical and people-centric approach to climate change by espousing "climate justice" and a sustainable lifestyle. India played a constructive role in aiding the early entry into force of the Paris Agreement by ratifying it in October 2016 and in support of the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. The Supreme Court of India has recognized the right to a clean environment as part of an individual's right to life guaranteed by the Constitution.

12. India recognizes the urgent need to ensure universal access to affordable, reliable, sustainable and modern energy to combat climate change and believes that solar energy offers a clean, climate-friendly and inexhaustible energy resource and an unprecedented opportunity to bring energy security to people. India co-chaired the founding conference of the International Solar Alliance with France, held in New Delhi on 11 March 2018. India extended $27 million towards hosting the Alliance secretariat, created a corpus fund for the Alliance, offered training support for member countries of the Alliance at the National Institute of Solar Energy and provided support for demonstration projects for solar home lighting, solar pumps for farmers and other solar applications.

13. India believes that the United Nations should have the necessary resources for its activities and has been a regular contributor to the Organization. In 2017, India announced the establishment of an India-United Nations Development Partnership Fund in association with the United Nations Office for South-South Cooperation. India has significantly scaled up the contribution to the Fund through a staggered contribution of $100 million. These resources are non-earmarked in the spirit of sustained, predictable funding for the Sustainable Development Goals and South-South cooperation.

14. In a unique initiative, India launched a satellite in 2017 that focuses on supporting countries in its neighbourhood in such areas as communication, broadcasting and Internet services, disaster management, telemedicine, tele-education and weather forecasting.

15. An important plank of India's development agenda has been its push towards good governance and the creation of a knowledge society. The Digital India programme seeks to transform India into a digitally empowered society through increased connectivity, better access to knowledge, delivery of services and e-governance through digital means.

16. Apart from improving governance structures, India's development policy focuses on ensuring social security, the right to work in just and favourable conditions and a range of socioeconomic entitlements for all citizens. For example, India has continued its efforts to address child malnutrition. Coverage of the Integrated Child Development Scheme has been expanded to include better nutrition, health and overall development of children under 6 years of age. The Scheme also provides nutritional and health support to pregnant and lactating mothers. India continues to work towards effective implementation of the Midday Meal scheme in government-run schools.

17. India is committed to doubling farmers' income by 2022. The government strategy includes emphasis on irrigation for more crop per drop, provision of quality seeds and nutrients according to the soil quality of each farm, large investments in warehouses and cold chains to prevent post-harvest losses, promotion of value addition through food processing, implementation of national agricultural markets and e-platforms for such markets, risk mitigation, introduction of crop insurance schemes at a lower cost and promotion of allied activities, such as in dairy-animal husbandry, poultry farming, beekeeping, horticulture and fisheries management.

18. India remains a young nation; over 60 per cent of its population is below the age of 35. India seeks to be the "skill capital" of the world through the Skill India initiative and is working with several other countries with a focus on getting its youth to acquire the requisite skills for global needs.

19. The Government has enacted the Child Labour (Prohibition and Regulation) Amendment Act, 2016, which came into force in 2016. The amendment, inter alia, covers the complete prohibition of employment or work of children below 14 years of age and the prohibition of employment or work of adolescents between 14 and 18 years of age in hazardous occupations and processes. These amendments have brought the legislation in conformity with the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (ILO). With the ratification of these conventions, India has now ratified six out of eight core conventions of ILO.

20. India has taken various steps to promote the equal participation of women in the workforce. To ensure a safe and dignified work environment and to facilitate the overall socioeconomic empowerment of women, India has enacted a law requiring employers to redress in an effective manner complaints of sexual harassment and to take other measures necessary for fostering a gender-sensitive, safe working environment for women.

21. The Government recognizes that women bear a large share of familial caregiving responsibilities, which has an adverse impact on their optimal participation in the workforce, and is committed to restructuring workspaces in order to make them more sensitive to women's social circumstances. The Maternity Benefit (Amendment) Act, 2017 provides extended maternity leave, day-care facilities and flexible working hours to facilitate equal access for women to employment opportunities.

22. India remains deeply committed to reinforcing and accelerating the efforts made towards combating human trafficking. Through amendments to criminal laws, India now provides stringent punishment for trafficking. India recognizes that a law enforcement response is only a partial step towards addressing the multiple human rights violations suffered by a trafficked person. Schemes are being put in place for the rehabilitation of survivors of trafficking.

23. India has been at the forefront of recognizing the equal rights of transgender persons. In a landmark judgment, the Supreme Court also recognized the rights of

transgender persons under the law. The Transgender Persons (Protection of Rights) Bill, 2016 is under consideration by the Parliament of India.

24. India has made significant progress in addressing the special needs of persons with disabilities through its Accessible India Campaign as well as legislative action on the rights of persons with disabilities and of persons with mental health issues. India remains committed to providing an enabling environment to persons with special abilities.

25. Recognizing people's right to a clean environment, India has launched the Swachh Bharat campaign. This is a nationwide programme that aims to facilitate collective behavioural changes regarding practices of sanitation through community-led initiatives.

26. India is proud of its rich and diverse cultural heritage. Safeguarding the rights of minorities forms an essential core of its polity. The Constitution enshrines various provisions for the protection of the rights and interests of minorities. Article 16 guarantees that in matters of public employment, no discrimination shall be made on the grounds of race, religion, caste or language, among others. Article 25 guarantees freedom of religion to every individual. Article 30 gives minorities the right to establish and administer educational institutions of their choice. India implements various schemes for the inclusion of minorities in education and socioeconomic empowerment.

27. The right to free speech and expression occupies its rightful place at the core of the Constitution. As the world's largest multilayered democracy, India fully recognizes the importance of free speech and expression.

28. Against this backdrop, India is presenting its candidature to the Human Rights Council for the term 2019–2021, the elections for which will be held at the General Assembly in New York in November 2018. India makes the following voluntarily pledges and commitments:

(a) India will continue to uphold the highest standards in the promotion and protection of human rights;

(b) India will continue to strive for the full realization of civil, political, economic, social and cultural rights, including the right to development;

(c) India will continue to abide by its national mechanisms and procedures to promote and protect the human rights and fundamental freedoms of all its citizens;

(d) India will continue to cooperate with States, upon request, in their implementation of human rights through capacity-building by means of technical cooperation, dialogue and exchange of experts;

(e) India will continue to strive to promote the work of the Human Rights Council in accordance with the principles of sovereign equality, mutual respect, cooperation and dialogue;

(f) India will continue to strive to make the Human Rights Council a strong, effective and efficient body capable of promoting and protecting human rights and fundamental freedoms for all;

(g) India will continue to support international efforts to combat racism, racial discrimination, xenophobia and related intolerance;

(h) India will continue to engage constructively in the deliberations of the Human Rights Council, its subsidiary bodies and mechanisms;

(i) India will continue to support the Office of the United Nations High Commissioner for Human Rights, including through regular voluntary contributions;

(j) India will continue to cooperate with special procedures, accept requests for visits and respond to communications;

(k) India is committed to implementing the recommendations it accepted during the third cycle of the universal periodic review;

(l) India remains committed to ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(m) India will continue to cooperate with treaty monitoring bodies and engage constructively with them in the context of fulfilling its human rights obligations;

(n) India will continue to strengthen the implementation of the human rights treaties that it has ratified;

(o) India will maintain the independence, autonomy and genuine powers of investigation of national human rights bodies, including its National Human Rights Commission, National Commission for Women, National Commission for Protection of Child Rights, National Commission for Minorities, National Commission for Scheduled Castes and Scheduled Tribes and National Commission for Backward Classes, as mandated by the Constitution and national legislation;

(p) India will continue to foster a culture of transparency, openness and accountability in the functioning of the Government;

(q) India will continue to foster the genuine participation and effective involvement of civil society in the promotion and protection of human rights;

(r) India will continue its strong support for and steadfast commitment to working with fellow developing countries and the United Nations development system towards collectively achieving the Sustainable Development Goals;

(s) India will continue to pursue the necessary domestic actions to implement the 2030 Agenda, with an overarching focus on poverty eradication and a balanced emphasis on social development, economic growth and environmental protection.